



EXPRESS MAIL NUMBER  
EV405281330US

4-21-04

2853

<b>RESPONSE TO RESTRICTION REQUIREMENT</b>  Address to: Commissioner for Patents P.O. Box 1450 Arlington VA 22313-1450	Attorney Docket Confirmation No.	10010820-1
	First Named Inventor	Lawrence J. DaQuino
	Application Number	10/022,088
	Filing Date	December 18, 2001
	Group Art Unit	2853
	Examiner Name	An H. Do
	Title	Pulse Jet Print Head Having Multiplied Reservoirs and Methods for Use in the Manufacture of Biopolymer Arrays

Dear Sir:

This communication is responsive to the office communication dated March 18, 2004.

In the above referenced office communication, the Examiner imposed a restriction requirement, requiring the election of the claims of either:

Group Ia, i.e., Claims 1-19 and 31-36;  
Group Ib, i.e., Claims 20, 21, 23 and 24;  
Group Ic, i.e., Claim 37;  
Group IIa, i.e., Claim 22;  
Group IIb, i.e., Claim 25;  
Group III, i.e., Claims 26-28; or  
Group IV, i.e., Claim 30.

for further prosecution in this application.

The Applicants hereby elect Group Ia with traverse.

The Applicants also respectfully urge the Examiner to rejoin the claims of the remaining groups with the elected claims of Group Ia for examination in this application for the following reasons.

The MPEP allows an Examiner to examine otherwise patentably distinct sets of claims if to so would not impose an undue burden on the Examiner. M.P.E.P. § 8.03 states that:

**If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.**

In the present case, the claims of the remaining groups include all of the elements found in the claims of Group Ia. As such, the search for the claims of Group Ia will find any relevant prior art relating to the claims of the remaining groups.

Accordingly, little, if any, additional searching should be required for the claims of the remaining groups, and therefore the examination of the claims of the remaining groups together with the claims of elected Group Ia should impose little, if any, additional burden on the Examiner.

As such, examining the claims of the remaining groups and the claims of elected Group Ia together in the present application clearly does not impose an undue or serious burden on the Examiner. In the absence of such an undue or serious burden, the Examiner is clearly instructed by the MPEP to examine the entire application. Therefore, the Examiner is respectfully requested to rejoin the claims of the remaining groups and with the claims of elected Group Ia and to examine all the claims together in the present application.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-1078.

Respectfully submitted,

BOZICEVIC, FIELD & FRANCIS LLP

Date: 4.19.04

By: 

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IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Lawrence J. DaQuino

Serial No.: 10/022,088

Examiner: An H. Do

Filing Date: 12-18-2001

Group Art Unit: 2853

Title: PULSE JET PRINT HEAD HAVING MULTIPLIED RESERVOIRS AND METHODS FOR THEIR  
USE IN THE MANUFACTURE OF BIOPOLYMER ARRAYS

COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as calculated below ( ) Supplemental Declaration  
( ) No additional fee (Address envelope to "Mail stop Non-Fee Amendments")  
(X) Other: Postcard (fee \$                     )

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$18	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$86	\$ 0
[ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$290	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$950.00	4TH MONTH \$1480.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21.                      of this sheet is enclosed.

"Express Mail" label no. EV405281330US

Date of Deposit 04/19/2004

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

By Donna Macedo

Typed Name: Donna Macedo

Respectfully submitted,

Lawrence J. DaQuino

By Bret Field for Gordon Stewart

Bret Field for Gordon Stewart

Attorney/Agent for Applicant(s)

Reg. No. 37,620

Date: 04-19-2004